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11 Attorneys for Plaintiffs

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 PETER JAY GERBER AND MIRIAM
15 GOLDBERG,

Case No: CV 07 5918 EDL

16 Plaintiffs,

17 vs.

18 BAYER CORPORATION AND BAYER
19 HEALTHCARE PHARMACEUTICALS,
20 INC.; BMC DIAGNOSTICS, INC.;
21 CALIFORNIA PACIFIC MEDICAL
22 CENTER; GENERAL ELECTRIC
23 COMPANY; GE HEALTHCARE, INC.; GE
24 HEALTHCARE BIO-SCIENCES CORP.;
25 McKESSON CORPORATION; MERRY X-
26 RAY CHEMICAL CORP.; and DOES 1
27 through 35

28 **DECLINATION TO PROCEED BEFORE A
MAGISTRATE JUDGE AND REQUEST
FOR REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE**

Defendants.

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1 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

2 The undersigned party hereby declines to consent to the assignment of this case to a United
3 States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a
4 United States District Judge.

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6 Dated: November 30, 2007

LEVIN SIMES KAISER & GORNICK LLP

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8 By: s/ Debra DeCarli
9 Debra DeCarli, Esq.